

The Culbertson Group, P.C.
Intellectual Property Attorneys and Counselors

Phone: 512.327.8932
Fax: 512.327.2665

1114 Lost Creek Blvd.
Suite 420
Austin, TX 78746

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TO: Examiner Cam Linh T. Nguyen
Mail Stop AF, USPTO
FROM: Trevor Lind
RE: Application Serial No. 09/737,341
OUR FILE NO.: 956.1057

DATE: July 22, 2005
PAGES INCLUDING COVER: 3
FAX NO.: (571) 273-8300
IBM DOCKET NO.: AUS9-2000-0611-US1

MESSAGE:

**RE: SERIAL NO. 09/737,341
GROUP ART UNIT 2161**

**ATTACHED:
NOTICE OF APPEAL (IN DUPLICATE)**

**PLEASE DELIVER TO
EXAMINER CAM LINH T. NGUYEN**

IF THERE ARE ANY ADDITIONAL FEES DUE OR ANY UNDERPAYMENT OF FEES, THE DIRECTOR IS AUTHORIZED TO CHARGE ANY SUCH FEES TO DEPOSIT ACCOUNT NO. 09-0447 (Attorney Docket No. AUS9-2000-0611-US1).

Thank you!

CERTIFICATE OF FACSIMILE

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Trevor Lind, Reg. No. 54,785

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PTO/SB/31 (04-05)

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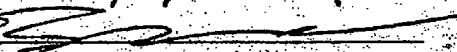
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

AUS9-2000-0611-US1

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)].

on 7/22/05Signature Typed or printed name Trevor Lind

In re Application of

James C. Colson

Application Number 09/737,341Filed December 15, 2000

For System, Method and Program Product for Prioritizing

Art Unit

2161

Examiner

Cam Linh T. Nguyen

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 4.120(b)(1))

\$ 500.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 09-0447. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(e) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- attorney or agent of record. Registration number 54,785
- attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____


SignatureTrevor Lind

Typed or printed name

512.327.8932

Telephone number

7-22-05

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

- Total of One (1) forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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